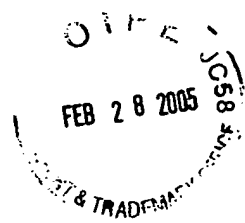


1754



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:	Peter Vinz	Atty. Docket No.:	006105.00001
Confirmation No.	4481		
Application No.:	08/875,916	Group Art Unit:	1745
Filed:	October 31, 1997	Examiner:	S.J. Kalafut
For:	GALVANOSORPTIVE REACTION CELL		

RECEIVED
MAR 02 2005
TC 1700

RESPONSE TO
NOTICE UNDER 37 C.F.R. § 1.251 - PENDING APPLICATION

U.S. Patent and Trademark Office
220 20th Street S.
Customer Window, Mail Stop
Crystal Plaza Two, Lobby, Room 1B03
Arlington, VA 22202

Sir:

This responds to the Notice Under 37 CFR 1.251 issued in connection with the subject application.

We are furnishing with this correspondence a copy of the record we have of correspondence between the Office and applicant. At the moment, our file does not appear to be complete and we have checked with applicant's earlier representative to see if additional documents can be located. We have not yet received an indication of what material might be available from them. In the interest of responding to this notice timely, we now submit our reply (to be supplemented in the event that additional documents are discovered).

As the list of documents (correspondence) required by the Notice to be provided by us (and for the Office's convenience), we supply a copy of the PALM printout provided to us with

the Notice listing the contents of the file. We have checked (✓) those items we believe we are supplying with this response.

Some explanation also appears necessary.

The petition entered on 09-19-2002 also was accompanied by a Preliminary Amendment, which is enclosed with the documents now being supplied. We believe that the correspondence change of 12-09-2002 on the correspondence (PALM) list also was part of the Petition documents filed on 09-19-2002.

A Power of Attorney, dated 04-04-2002 also is enclosed. It does not appear on the PALM list. I cannot determine whether it was filed.

The Preliminary Amendment dated 01-31-2002, also included (i) a Substitute Specification, (ii) a paper with a correspondence address change and (iii) a Revocation of Power. Thus, we suspect that the items dated 02-06-2002 and 02-15-2002 were actually filed on 01-31-2002. The Substitute Specification does not appear to be noted separately on the PALM list. The Substitute Specification with drawings changes is enclosed with the documents now being supplied.

We believe we have a copy of the transmittal form for the October 1, 2001 Substitute Specification entry (and we enclose a copy thereof), but we do not have the underlying documents. We also have the Certificate of Transmission and the CPA form, the Fee transmittal and the Revocation of Power of Attorney for the 04-25-2001 filing, but we do not have the Claim set or Information Disclosure Statement referenced on the certificate.

We also enclose a copy of an unsigned Information Disclosure Statement that we believe accompanied the original filing as well as the initial translation of the underlying PCT application.

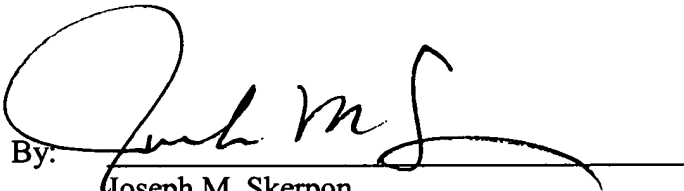
The documents we are supplying are a complete and accurate copy of applicant's record of all the correspondence between the Office and applicant in our possession. This is not a complete record of all correspondence, however. Items NOT checked on the attached list are not among the records in our possession and thus have not been supplied.

We also are submitting Form PTO-2053-B as requested. We have checked the box we believe is most appropriate in the current circumstance. However, we rely on the prior explanation as the most accurate statement of the completeness of our response.

It is believed no fee is due for the filing of this response, however, if any fee is due, the Commissioner is hereby authorized to charge our Deposit Account No. 19-0733.

Respectfully submitted,

Date: 2-28-05

By: 
Joseph M. Skerpon
Registration No. 29,864

Banner & Witcoff, Ltd.
1001 G Street, N.W.
Washington, D.C. 20001-4597
(202) 824-3000

JMS/bao

Enclosures

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

FEB 28 2005

In Re Application of:

Peter Vinz

Application No.:

08/875,914

Filing Date:

October 31, 1997

Title:

GALVANOSORPTIVE REACTION CELL

Direct to:

Mail Stop RECONSTRUCTION
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

NOTICE UNDER 37 CFR 1.251 - Pending Application

Statement (check the appropriate box):

- ☐ The copy submitted with this reply is a complete and accurate copy of applicant's record of all of the correspondence between the Office and the applicant for the above-identified application (except for U.S. patent documents), and applicant is not aware of any correspondence between the Office and applicant for the above-identified application that is not among applicant's records.
- ☒ The copy of the paper(s) listed in the notice under 37 CFR 1.251 is/are a complete and accurate copy of applicant's record of such paper(s).
- ☐ The papers produced by applicant are applicant's complete record of all of the correspondence between the Office and the applicant for the above-identified application (except for U.S. patent documents), and applicant is not aware of any correspondence between the Office and the applicant for the above-identified application that is not among applicant's records.
- ☐ Applicant does not possess any record of the correspondence between the Office and the applicant for the above-identified application.

Date

2-28-05

Signature

Joseph M. Skerpon

Typed or printed name

A copy of this notice should be returned with the reply.

Burden Hour Statement: This collection of information is required by 37 CFR 1.251. The information is used by the public to reply to a request for copies of correspondence between the applicant and the USPTO in order to reconstruct an application file. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This form is estimated to take 60 minutes to complete. This time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.